

Daily Digest

Senate

Chamber Action

The Senate was not in session and stands adjourned until 2 p.m. on Monday, December 9, 2013.

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 3656–3673; and 3 resolutions, H. Res. 431–433, were introduced. **Pages H7566–67**

Additional Cosponsors: **Pages H7567–68**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Foxx to act as Speaker pro tempore for today. **Page H7509**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H7509, H7556**

Innovation Act: The House passed H.R. 3309, to amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, by a recorded vote of 325 ayes to 91 noes, Roll No. 629. **Pages H7511–56**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–28 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill.

Page H7526

Agreed to:

Polis amendment (No. 3 printed in part A of H. Rept. 113–283) that requires claimants to provide additional disclosure information in any pre-suit notification to establish a willful infringement claim;

Pages H7538–39

Jackson Lee amendment (No. 6 printed in part A of H. Rept. 113–283) that requires the Director to conduct a study regarding the economic impact of the changes in current law resulting from Sections 3, 4, and 5 of the bill on the ability of individuals and small businesses owned by women, veterans, and minorities to assert, secure, and vindicate their constitutionally guaranteed exclusive right to their inventions and discoveries; **Pages H7543–45**

Goodlatte manager's amendment (No. 1 printed in part A of H. Rept. 113–283) that makes a few technical and clarifying changes. Specifically, under Section 3(d), it clarifies that the exception in paragraph one applies to biosimilars, it also adds an exception for actions seeking relief based on competitive harm, and ensures that the provision is not subject to reverse gamesmanship. Under Section 6(d) it makes clarifying changes that ensure that foreign courts cannot terminate licenses to US IP. Extends time required by the agencies to complete the various studies and reports required in the bill (by a recorded vote of 341 ayes to 73 noes, Roll No. 623); and **Pages H7532–35, H7551–52**

Rohrabacher amendment (No. 7 printed in part A of H. Rept. 113–283) that strikes 9(a) from the bill and reorders the remaining subsections of Section 9 (by a recorded vote of 260 ayes to 156 noes, Roll No. 627). **Pages H7545–46, H7754–55**

Rejected:

Watt amendment (No. 2 printed in part A of H. Rept. 113–283) that sought to bring the fee shifting provision in the underlying bill more closely aligned with the Equal Access to Justice Act. Would allow a judge to consider dilatory or other abusive tactics

by the prevailing party in determining whether to reduce or deny a fee award (by a recorded vote of 199 ayes to 213 noes, Roll No. 624);

Pages H7535–38, H7552–53

Massie amendment (No. 4 printed in part A of H. Rept. 113–283) that sought to strike section 5, the “Customer-suit exception” provision (by a recorded vote of 119 ayes to 296 noes, Roll No. 625);

Pages H7539–40, H7553

Jackson Lee amendment (No. 5 printed in part A of H. Rept. 113–283) that sought to expand covered customer definition to all small businesses as long as their annual revenue does not exceed \$25 million (by a recorded vote of 144 ayes to 266 noes, Roll No. 626); and

Pages H7541–43, H7553–54

Conyers amendment in the nature of a substitute (No. 8 printed in part A of H. Rept. 113–283) that sought to promote transparency in patent ownership; protect customers who are targeted in infringement suits; direct the PTO to develop educational resources for small businesses; instruct the PTO and others to prepare reports on several issues including the use of deceptive demand letters (by a recorded vote of 157 ayes to 258 noes, Roll No. 628).

Pages H7546–51, H7755

H. Res. 429, the rule providing for consideration of the bills (H.R. 3309) and (H.R. 1105), was agreed to yesterday, December 4th.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet on Monday, December 9th at 12 noon for morning hour debate and 2 p.m. for legislative business.

Page H7759

Quorum Calls—Votes: Seven recorded votes developed during the proceedings of today and appear on pages H7751–52, H7752–53, H7753, H7753–54, H7754–55, H7755, and H7755–56. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 2:49 p.m.

Committee Meetings

EVALUATING THE ROLE OF FERC IN A CHANGING ENERGY LANDSCAPE

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled “Evaluating the Role of FERC in a Changing Energy Landscape”. Testimony was heard from the following Federal Energy Regulatory Commission officials: Cheryle A. LaFleur, Acting Chairman; Philip D. Moeller, Commissioner; John R. Norris, Commissioner; and Tony Clark, Commissioner.

THEIR DAUGHTERS APPEAL TO BEIJING: LET OUR FATHERS GO

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and Inter-

national Organizations held a hearing entitled “Their Daughters Appeal to Beijing: Let Our Fathers Go!”. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 1604, the “Map It Once, Use It Many Times Act”; and H.R. 916, the “Federal Land Asset Inventory Reform Act of 2013”. Testimony was heard from Kevin T. Gallagher, Associate Director for Core Science Systems United States Geological Survey; David A. Powner, Director, Information Technology Management Issues, Government Accountability Office; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Science, Space, and Technology: Full Committee began a markup on the following measures: H.R. 2413, the “Weather Forecasting Improvement Act of 2013”; H.R. 2431, the “National Integrated Drought Information System Reauthorization Act of 2013”; H.R. 2981, the “Technology and Research Accelerating National Security and Future Economic Resiliency Act of 2013”; and H.R. 3625, to provide for termination liability costs for certain National Aeronautics and Space Administration projects, and for other purposes.

POST-RECESSION SMALL BUSINESS LENDING ENVIRONMENT

Committee on Small Business: Subcommittee on Economic Growth, Tax and Capital Access held a hearing entitled “Where Are We Now? Examining the Post-Recession Small Business Lending Environment”. Testimony was heard from Ann Marie Wiersch, Policy Analyst, Federal Reserve Bank of Cleveland; and public witnesses.

INTELLIGENCE UPDATE

House Permanent Select Committee on Intelligence: Full Committee hearing entitled “Intelligence Update”. This was a closed hearing.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, DECEMBER 6, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.